

**House File 390 - Introduced**

HOUSE FILE 390

BY EHLERT

**A BILL FOR**

1 An Act relating to physical activity requirements applicable to  
2 students enrolled in public schools and accredited nonpublic  
3 schools in kindergarten through grade five.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.11, subsection 6, paragraph b,  
2 subparagraph (1), Code 2023, is amended to read as follows:

3 (1) All In addition to the physical education curriculum  
4 required under subsection 3, physically able students in  
5 kindergarten through grade five who are not suspended or  
6 expelled shall be required to engage in a physical activity  
7 for a minimum of thirty consecutive minutes per school day. A  
8 school shall not prevent a student from engaging in a physical  
9 activity as required in this subparagraph unless one of the  
10 following applies:

11 (a) The student poses a danger to the health or safety of a  
12 school employee, contractor, or another student.

13 (b) Due to inclement weather, the school relocates physical  
14 activity that was to take place outdoors.

15 (c) The school dismisses classes early due to unforeseen  
16 circumstances, including inclement weather and loss of  
17 utilities services.

18 (d) The student is absent from school, including due to  
19 illness or a medical appointment, during the time of the school  
20 day that the school provides for the student's class to engage  
21 in physical activity.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with  
24 the explanation's substance by the members of the general assembly.

25 This bill relates to physical activity requirements  
26 applicable to students enrolled in public schools and  
27 accredited nonpublic schools in kindergarten through grade  
28 five.

29 Current law requires all physically able students in  
30 kindergarten through grade five to engage in a physical  
31 activity for a minimum of 30 minutes per school day, which may  
32 include physical education. The bill provides that physical  
33 education shall not be used to meet this physical activity  
34 requirement. The bill requires that the 30 minutes of required  
35 physical activity be consecutive.

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1 The bill provides that the physical activity requirement  
2 shall not apply when a student is suspended or expelled. The  
3 bill also provides that a school shall not prevent a student  
4 from engaging in 30 minutes of physical activity per school  
5 day unless the student poses a danger to the health or safety  
6 of certain specified persons, the school relocates physical  
7 activity that was to take place outdoors due to inclement  
8 weather, the school dismisses classes early due to unforeseen  
9 circumstances, or the student is absent from school, including  
10 due to illness or a medical appointment, during the time of the  
11 school day that the school provides for the student's class to  
12 engage in physical activity.